

THREE¹³
SPEECHES

AGAINST

Continuing the Army, &c.

As They were SPOKEN

IN THE

HOUSE of COMMONS

THE LAST

Session of Parliament.

To which are Added,

The REASONS given by
the LORDS, who Protested against
the BILL for *Punishing Mutiny and
Desertion.*

L O N D O N:

Printed for JOHN MORPHEW near Sta-
tioners Hall, 1718.

T H E
P R E F A C E

A G A I N S T

THE
HOUSE OF COMMONS

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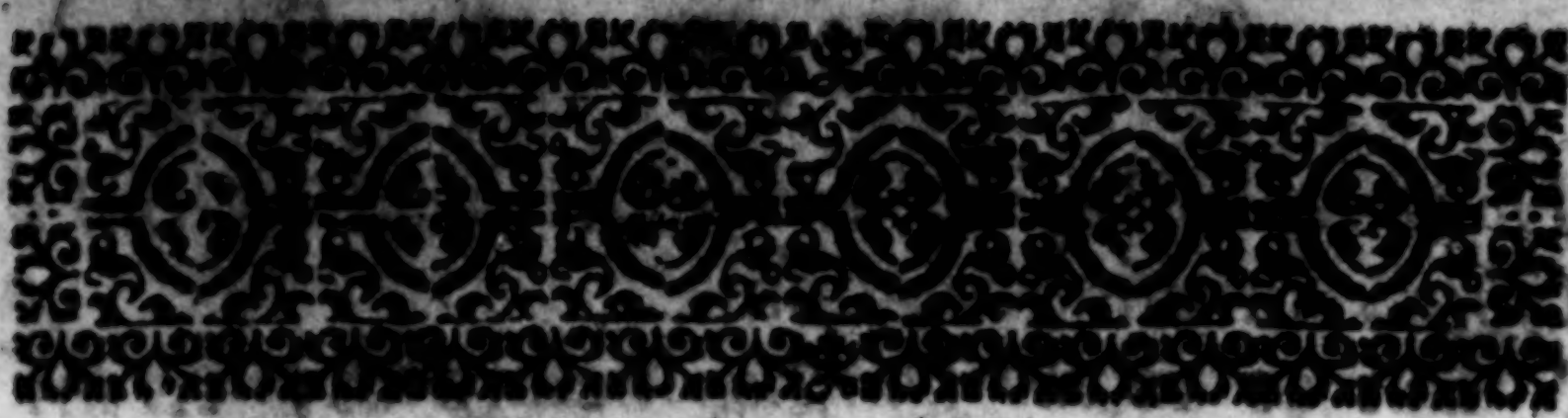
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HOUSE OF COMMONS

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A
S P E E C H

A G A I N S T

Continuing the Army, &c.

As it was

Spoken the 4th Day of *December*, 1717.
in the House of C O M M O N S.

By *W—— S——*, Esq;

Who was committed Prisoner to the
Tower, for some Passages in it.

S I R,

***** Congratulate * the Honourable * General
***** Person below, on his being re-^{L——}
***** I ***** stored to the good Opinion of
***** † the Learned Gentleman, who † Sir J.
***** spoke last. For it is not long
since he complimented (I will not say flat-
tered) A N O T H E R, at the Expence of that
A 2 Honour-

Honourable Person, and most of the General Officers in this Kingdom.

But as to the Question before us; 'tis my Misfortune to differ from the learned Gentleman in ALL he hath advanced, which, when stripped of some Excursions, may be reduced to these Two Propositions:

THAT the only Danger of Continuing the ARMY is the Expence of it.

THAT we ought to comply with the Number of Forces propos'd, because it is demanded by the KING, who is the best Judge of our Necessities.

I do not object to the first Reason, that the Phrase is ambiguous, and that it is difficult to know what he means by the Danger of the Expence. But, if I understand him, the Answer is obvious. For though the Expence is doubtless a Matter highly deserving the Consideration of this House, whose Business and Duty it is to dispose of the publick Mony with the utmost Frugality; yet it is by no means the chief, or only, Argument against Keeping up An Army in time of Peace. The chief Argument, with great Submission, is, That the Civil and Military Power cannot long subsist together; That a Standing Army in time of Peace will necessarily impede the free Execution of the Laws of the Land. And 'tis therefore

therefore very extraordinary, that the *Expense* should be thought the only *Danger* (to use his own Terms) of a *Standing Army*, by a Person, whose *Profession* and *present Station* oblige him to make *those Laws* his *first Care*; and that it should be urged as such, in *this Place*, where so many *Millions* have been *cheerfully granted* for the *Defence* of *Them*.

The *second Reason* is no more *conclusive* than the *first*, as I hope to make appear in the *Sequel* of what I have to offer.

Gentlemen have insisted much on the great *Grace* and *Favour* shewn, in *Reducing the Army* since the *Beginning* of the *last Session*; and I presume not to say, that we were *deceived* into the *Vote* then given for maintaining *THIRTY TWO THOUSAND MEN*, because we always *proceed* with the utmost *Caution* and *Circumspection*, and because the *deep Designs* of the *SWEDISH PLOT*, which occasioned such *terrible Apprehensions* amongst us, have since been *fully discovered* to the *World*.

But however *wisely* it was then done, I hope never again to see, either the *same Number*, or near the *same Corps*, after some *artful Reductions*, continued in this Nation in time of *Peace*, on any *Pretence*, on any *Apprehensions* whatsoever.

I will not trouble you, Sir, with my *Remarks* on the *Fallacy* of *those Reductions*. They have been sufficiently *expos'd* by † a *Gentleman*,

† Mr. W——le.

who

who is better informed of the *Secret* of that *Affair*, and who, (I am glad to find) when he is contending for the Service of his Country, is no more afraid than myself, of being called a *Jacobite*, by those, who want other *Arguments* to support their *Debates*.

Our present *Consideration* is, Whether there are any *Reasons* to induce us, as our *Circumstances* now stand, to keep up ABOVE SIXTEEN THOUSAND MEN, with *Officers* for almost double that *Number*; and Whether, if we should consent to keep them up, we should act (as His Majesty desires we should) agreeably to the *Constitution* of these *Kingdoms*, and consequently to the *Principles* on which his *Government* is founded.

Now, in *Virtue* of that *Freedom* of *Speech* we are all entitled to, I beg Leave to declare my *Opinion*, That the *Keeping up the Number* proposed, is so far from being necessary to our *Protection*, that it will be inconsistent with our *Safety*, and an excessive *Burthen* to His Majesty's good *Subjects*. Nor do I think it possible any *Arguments* can be invented (none I am sure have been yet offered) to incline an *House of Commons* at this *Time*, when we are in a profound *Tranquillity*, some DOMESTICK FEUDS excepted, to submit to that, which every *Member*, every *Lover* of *Liberty*, must
OWN,

own, *abstractedly considered*, to be A GRIEVANCE, and such an One, as ought never to be submitted to, but in that most desperate and deplorable Circumstance, where it is to be chosen as the less Evil.

I know these Assertions interfere with what is laid down in the second Paragraph of His Majesty's SPEECH. But we are to consider that Speech, as the Composition and Advice of his Ministry, and are therefore at Liberty to debate every Proposition in it ; especially † THOSE, WHICH SEEM RATHER CALCULATED FOR THE MERIDIAN OF GERMANY, THAN OF GREAT-BRITAIN.

'Tis the ONLY Infelicity of His Majesty's Reign, That † HE IS UNAQUAINTED WITH OUR LANGUAGE AND CONSTITUTION; and 'tis therefore the more incumbent on his British Ministers to inform him, That our Government does not stand on the same Foundations with his German Dominions, which, by Reason of their Situation and the Nature of their Constitution, are obliged to keep up Armies in Time of Peace. Nor is it in the least to be wondered at, That His Majesty, who hath spent the earlier Part of his Life in those Dominions, should think SIXTEEN,

† These were the two Passages which gave Offence, and for which He was committed to the Tower.

or even THIRTY TWO, THOUSAND MEN might be continued in so rich and powerful a Nation, as this is, without being a Burthen to it. But when he shall come to understand, That the smaller Number in Time of Peace would be destructive to that Security and Ease of his People, for which he expresses so tender a Regard, he will doubtless be convinc'd, That those act most conformably to their Duty, and his Interest, who (as true Subjects of Great Britain) are against continuing more TROOPS, than have been usually thought and found sufficient, in the same Situation of Affairs, for the Support of the Crown and the Safety of the Kingdom.

I am therefore at a Loss, to conceive how Gentlemen can persuade themselves, That the Complying with this extraordinary Demand would promote His Majesty's Service. For it supposes not only a Distrust, but a Weakness in the Government; as if neither the Affections of the People at Home, nor the Treaties of our Allies Abroad, were to be depended on. Which is a Thought so injurious, so contradictory to some solemn Assurances from the Throne, that no one will presume to advance it openly in this House, or elsewhere; and yet it is all, in my humble Apprehension, included in this Motion. Nothing, indeed, can alienate the Hearts of the People from His Majesty; but such Attempts have formerly proved fatal
to

to Princes of less consummate Wisdom and Vertue. Nor are we to imagine, That the same Grievance is not equally mischievous in the Reign of a good Prince, as of a bad One. 'Tis sometimes more so, because less expected, and less guarded against.

Surely His Majesty will have no just Cause to doubt the Continuance of that Zeal for the Good of our Country, which (he is pleased to say) hath been so eminently conspicuous in every Session of this Parliament, if we make the Fate of other Nations a Document to ourselves on this Occasion; if we think, That the Keeping up a larger Number of Forces, than is absolutely necessary, too dangerous an Experiment to be often repeated.

Let Gentlemen look round Europe, and they will find, That some of the freest and bravest People in it have, by this very Method, lost their Liberties. They will find, That the Civil Power was from Time to Time drawn in, by pretended Exigencies to allow and maintain an armed Force in Peace; which, as they at first thought, and were instructed to believe, was intended, to add Strength to their Authority, to secure them in the Possession of their Religious and Political Rights, to watch the ambitious Designs of their Neighbour Nations, and to preserve the Ballance of Power. GLORIOUS INTENTIONS, if they had prov'd REAL! But, though
 B they

they used all possible *Precaution*, though they made it the *Condition* of their *Establishment*, That the *Forces* should be *disbanded*, when the *extraordinary Occasion*, for which they were *raised*, *ceased*; yet they perceived too late, That their *Condition* was not *binding*, That they had erected a *Power* *superiour* to themselves, That the *Soldiery*, when they had *tasted the Sweets of Authority*, would not part with it, and, That **EVEN THEIR PRINCES** (after these *temporary Concessions* made to them) began to think, that *ruling by an Army* was a more easy, a more *compendious*, *Way of Government*, than *acting under the Restraints and Limitations of the Laws of their Country*. And now they wear **THE CHAINS**, which they put round their own *Necks*, and lament the *Loss of that FREEDOM*, which they *unhappily consented to destroy*, and which could never have been *destroyed* without their *Consent*.

But there is no need of fetching *Arguments*, on *this Subject*, from *foreign Nations*. Our own is too well acquainted with the *Effects of continuing an armed Force in Peace*, not to apprehend every Thing from it, be the *Pretence* never so *specious*.

'Twould be *mispending* our *Time*, to recount the *Mischiefs*, which have from hence happened to *this Nation*; and I will not run back to *former Reigns*. But I cannot for-
bear

bear observing (what † my very good Friend Mr. Sm--? near me hath already hinted) that it was the great Grievance complained of in the Bill of Rights, and was that, from which the Revolution was to deliver us. KING WILLIAM himself, after the Peace of Ryswick, could not obtain above TEN THOUSAND MEN, though he had then a more enterprizing, and a more powerful, Prince to deal with, than any now in this Part of the World. And the Proceeding of that House of Commons must be ever justify'd by those, who have the least Concern for our Constitution, notwithstanding some ungrounded Insinuations, that it involved us in a long and expensive War. Besides, it is every Year declared in the Act of Mutiny and Desertion, That the Keeping up a Standing Army in Time of Peace is against Law; and as the Freeing us from it, was one of the Ends of the Revolution, so no doubt the Preserving us for ever from any Attempt of the like Nature, was one of THOSE INNUMERABLE GLORIOUS ADVANTAGES propos'd by the ACT OF SUCCESSION.

But it hath been urged, that the Consent of Parliament reconciles all, and that Forces so continued are not to be accounted a standing Army, because they are intended to keep out a standing Army; which (with the || noble Lord's LdM.tb. Leave, who makes the Distinction) is a

Notion too fine, too Chimerical, to be maintain'd.

I know indeed it is explained both in the *Bill of Rights*, and in the *Act of Mutiny and Desertion*, that the keeping up a standing Army in Time of Peace is illegal only, if done without Consent of Parliament. Now this in no Sort weakens the Argument, as to the Inconvenience and Oppression, of which I am speaking. For, tho' the Parliament, in these *Declaratory Laws*, seems to put in its Claim only against the *Intrachments* of the Crown, from whence it suppos'd such Oppressions were more likely to come, than from the *Representatives of the People*; yet the Consent of Parliament cannot alter the Nature of Things, cannot hinder the same Causes from Producing the same Effects. An Army, tho' kept up by Consent of Parliament, will, like other Armies, soon know its own Strength, will in Probability pursue the Dictates of Self-Preservation, and rather choose to dissolve that Authority with which it is incompatible, than tamely submit to its own Dissolution. An Army, tho' kept up by Consent of Parliament, if it hath no Enemies Abroad, will be apt to make Depredations at Home; and I wish there hath not been something of that Kind done this last Year: I wish we have no Complaints, from some of our own most considerable Parliamentary Corporations, of Soldiers demanding

demanding free Quarter, and Insulting the Chief Magistrates for Exerting the Power we have lodged with them, and endeavouring to redress the Grievances of the poor Inn-keepers and Inhabitants. Nay, the Consent of Parliament is so far from altering the Nature and Genius of Armies, that a Parliament-Army (consisting of about the Number now demanded) once committed greater Outrages, and gave a deeper Wound to the Constitution, than all the Armies of the Crown have ever done; and THAT ARMY was the Creature of A PARLIAMENT, which had establish'd itself. But, if we were to admit, for Argument's sake, That the Consent of Parliament could make Armies more tame and ductile, than they would otherwise be; I think however, it would not be advisable for a Parliament, that intends to act rationally, and agreeably, either to the Principles on which His Majesty's Government, or its own Power, is founded, to familiarize a Military Force to this Free Nation. For the very Name and Terror of it, would (without Oppression) awe and subdue the Spirits of the People, extinguish their Love of Liberty, and beget a mean and abject Acquiescence in Slavery.

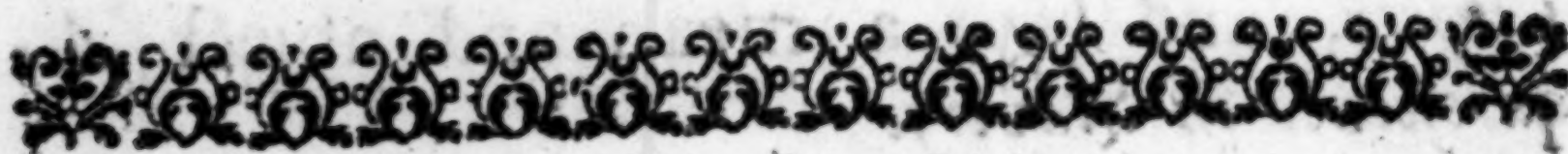
S I R,

S I R,

We have already *suspended Some Laws,*
and repealed Others, to comply with the
Necessities of the Administration. But pray
 let us not go further, let us not go on to
continue the Army, or the greatest Part of it:
 For so long as it is continued, so long is the
whole Constitution suspended, or at least, in
 the Mercy of those, whom we arm against
 it.



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S P E E C H

A G A I N S T

Continuing the Army, &c.

As it was

Spoken the 5th Day of *December*, 1717.

I N T H E

House of C O M M O N S.

By E—— J——, Esq;

S I R,

✿✿✿✿✿ Shall not waste the Time of the
✿✿✿✿✿ Committee in making an Apology
✿✿✿✿✿ I for meddling in this Question;
✿✿✿✿✿ since I apprehend whatever I
✿✿✿✿✿ can yet call my own, to be at
Stake in the Event of it. Whether the Ar-
my shall be disbanded, or continued, in Time
of

of Peace? Whether we shall be governed by the *Magistrate*, or the *Soldier*? or, Whether we shall be *bond* or *free*? are, in my Opinion, *Questions* of the same *Import*.

I think myself *justify'd* in saying this, from the *Examples* of most *Countries* in *Europe*. They were *once free*, but if it be inquir'd, how, from a *STATE OF FREEDOM*, they *sunk* into *SLAVERY*, it will appear, That their *common Ruin* has *proceeded* from the *Continuance* of *Regular Troops* in *Pay*, after the *Occasion*, for which they were *rais'd*, was over.

That *this Island* has *retained* its *FREEDOM* longer, than the *Countries* on the *Continent*, has been *imputed* to its *Situation*; which not being so much *exposed* to the *IncurSIONS* of its *Neighbours*, there was not the *like Pretence* for *Keeping up Regular Troops*. But the *Preservation* of our *Liberties* to this *Time*, is, in my Opinion, rather to be *ascribed* to the *due Sense* our *Forefathers* had of the *Danger* the *Publick* underwent from *intrusting Princes* with a *standing Force* in *Time of Peace*. And also to the *Measure* observed by the *House of Commons*, in giving such *Supplies Only*, as enabled the *Prince* to live in the full *Enjoyment* of his *Prerogative*, without putting it into his *Power* to *affect* the *Liberties* of the *Subject*.

From

From the *first credible Account* of Things in *this Kingdom*, down to *King Charles the Second's Time*, I can find no Instance, where the *Crown* kept up *Regular Troops* in *Time of Peace*, that of *Richard the Second* excepted.

He lived in a *tempestuous Age*; he had *Wars abroad*, and *Commutations at home*. The **FIRST REBELLION**, headed by **WATT TYLER**, was composed without *Shedding the Blood* of any one of the *Rebels*, save **TYLER HIMSELF**: The *King* gave them good *Words*; they laid down *their Arms*, went home, and were all *pardon'd*. **ANOTHER REBELLION**, of the *Men of KENT and ESSEX*, broke out, which occasion'd the *King's* *Raising an Army of Forty Thousand Men*. The *Rebels* apply'd by *Petition* to have their *Liberties and Franchises* allow'd them. But the *King* spoke to *these* in a *different Style*; he told them, **SLAVES THEY WERE, AND SLAVES THEY SHOULD BE**. *Five Hundred* of them were *cut to Pieces* in the *Field*, and *Fifteen Hundred* of them were afterward *executed* in *cold Blood*.

This *Severity* aw'd the *Nation* for *awhile*. But, the *Discontent* of the *People* afterwards *increasing*, about the *Twentieth Year* of his *Reign* a *Parliament* was call'd, and, to use the *Historian's* Words, least I should offend any tender Ear, " *All Endeavours*

“ were used to procure such a Parliament,
 “ as would concur with the King’s Designs.”
 Before they met, Forces were rais’d “ to
 “ attend and guard the Parliament; which
 “ might at the same Time be an Awe upon
 “ any Refractory Members.” Touching the
 Numbers of which this Army consisted,
History is silent: This only we are given
 to know, that Four Thousand of them were
 ARCHERS, and that many of them
 were CHESHIRE-MEN. It is not
 to the present Purpose to go over the Extra-
 vagancies of that Parliament.

Into what a State Things were brought
 by that King’s Conduct, appears from an
 Observation made by the same Historian,
 who says, “ That the King having thus
 “ establish’d his Power, and put himself be-
 “ yond all Opposition, thought himself secure,
 “ and an absolute Prince. But it being laid
 “ upon such a Foundation, as begat many
 “ Discontents among the People, all the Fa-
 “ brick prov’d weak, and was soon follow’d
 “ with lamentable Ruin.” When that King’s
 Affairs grew desperate, an Oath was requir’d
 from the Duke of Lancaster, afterwards
 Henry the Fourth, that he should cause the
 King to send home the CHESHIRE-
 GUARD, which was accordingly done.

I observe in the Debate, it has been
 taken for granted, That the Crown of En-
 gland has a Right to a Number of Regu-
 lar Troops, under the Denomination of
 GUARDS.

GUARDS. This is a *Notion* I can by no means give into. It was not so *ab Antiquo*.

The first Guards we hear of (the Yeomen of the Guard, which were constituted by Henry the Seventh, being of another Kind) were in Charles the Second's Time. That Prince, immediately after his Restoration, got together a small Number of Guards, which at first seem'd to be meant only to add to the Equipage and Splendor of the Court. But it soon appear'd, that he had other Views: The Guards, by adding Men to Troops and Companies, and Troops and Companies to Regiments, were insensibly increased; so that in the Year 1677, they were got up to FIVE THOUSAND EIGHT HUNDRED NINETY MEN. Few Sessions pass'd, but they were taken Notice of in the House of Commons, and though Money was not ask'd of Parliament for their Support, yet they occasioned a general Uneasiness.

About that Time, there was a Prospect of a War with France, on which Pretence an Army was rais'd. But, the War not proceeding, an Act pass'd, which gave the King SIX HUNDRED AND NINETEEN THOUSAND, THREE HUNDRED AND EIGHTY EIGHT POUNDS for disbanding the Army. When the Parliament met again, they were told from the Throne, "That the Forces were still kept

“ on Foot for the Preservation of our Neigh-
 “ bours, who otherwise had absolutely despair-
 “ ed; and for preserving what was left in
 “ Flanders; and, that the King was confi-
 “ dent no Body would repine at the Employ-
 “ ing that Money, which was rais’d for the
 “ Disbanding of the Army, for the Continuance
 “ of it.

This did not satisfy the House, and they came to a Resolution, “ That it was necessa-
 “ ry for the Safety of his Majesty’s Person,
 “ and preserving the Peace of the Government,
 “ That all Forces raised since the Twenty ninth
 “ of September 1677, should be disbanded.”
 Whereupon that Parliament, which went under the Name of the PENSIONER-PARLIAMENT, was dissolved.

The new Parliament, which met on the First of March following, had the same Apprehensions of Regular Troops. Money was given to disband them, and the Act directed, That it should be paid into the Chamber of London, and Commissioners of their own were appointed to see it apply’d to that Use. Whatever Diffidence of the King this might imply; I do not find that ANY MEMBER lost his LIBERTY for FREEDOM OF SPEECH on that Occasion. The Opinion that Parliament had of a Standing Army appears in the Resolution they came to, “ That the
 “ Continuance of Standing Forces in this Na-
 “ tion, other than the Militia, was illegal, and
 “

" a great Grievance and Vexation to the People. "

I shall now take Leave to consider the Arguments advanced for continuing SIXTEEN THOUSAND, THREE HUNDRED, FORTY SEVEN MEN, for the ensuing Year.

It is said,

THAT there is a Disaffected Party in the Kingdom, which makes an Army necessary.

If this Argument will prevail, 'tis strange it has not prevail'd for Six Hundred Years past; since no Period within that Time can be assign'd, wherein this Argument was not as strong, as in the present.

During the long Controversy between the Houses of York and Lancaster touching the Right of Succession, (in which each Side had its Turn of being Uppermost) one would think, it should have been natural for the prevailing Party, in order to their Security, to have insisted on the Continuance of their Regular Troops, at least for a Time. There was A PRETENDER to the Crown, who had a strong Party in the Nation, and the Government was insecure till the Spirit of Rebellion was suppress'd. It might then with an Appearance of Reason have been insisted on, That the Taxes on the Disaffected should be increas'd, that those, who occasion'd the Expence, should bear the Burthen, till the Danger was over.

Why

Why this sort of Reasoning did not then prevail, is obvious. They saw it was *unsafe* to trust any Prince, even ONE OF THEIR OWN SETTING UP, with such a Power, which if ill apply'd might enslave them.

Another Period of Time I shall take Notice of is, that of *Queen Elizabeth's* Reign. The *Disaffection* to Her in the Beginning of it was great, occasion'd by the Reformation in Religion, and the Application of Ecclesiastical Revenues to Secular Uses. Many Plots there were against her Life. SPAIN (one of the greatest Powers in Europe at that Time) attempted an INVASION, and a more proper Juncture could not have happen'd, wherein to have ask'd for an Army. But, instead of that, the greatest Part of the Forces then got together, to oppose the INVASION consisted of MILITIA, and as soon as the ARMADO was scattered, the Army was disbanded. That Queen being sensible, that the true, the only, Support of the Crown, was the Good-will and Affections of the People.

Another Argument brought for the Continuance of the Army is,

THAT the Denying it does insinuate a Distrust of his Majesty.

How disingenuous and Unparliamentary a Way of Arguing this is, let Gentlemen judge.

judge. For to draw *that sacred Name* into a *Debate*, must put every Body to Pain, who takes the *other Side* of the *Question*, in Regard it may be construed, that the stronger the *Argument* is, the greater is the *Distrust*.

But *this Reasoning*, in my Opinion, turns quite *another Way*, and instead of implying a *Distrust*, argues the greatest Regard to the Safety of *His Majesty's Person* and *Government*. Who can answer for the *Caprice* of an *Army*, when once *establisb'd*?

Although no Man living has a greater Esteem than my self for *those honourable Gentlemen*, who have with so much *Bravery* serv'd their *Country* in a *Military Way*, nor shall any Man go further in *rewarding* their *Services*; yet the common *Experience* of *Mankind* demonstrates, That it is not reasonable to expect an *Army* should be always in the *same Humour*. AUGUSTUS CÆSAR liv'd in great *Peace* and *Security* with the *PRÆTORIAN BANDS*, which had put an End to the *ROMAN LIBERTIES*. But the *Case* was different with his *Successors*. For of *Twenty Six Emperors*, no less than *Sixteen* were pull'd to pieces by their own *Soldiers*. Did not the *Army* here in *England*, in the *TIMES OF USURPATION*, if I may be allow'd to name them, in a short *Space* change the *Government* into *Ten* several *Forms*? What *Treatment* did the *Parliament*, who had rais'd
and

and supported them, meet with from them? They besett the House, repuls'd Many Members who would have come in, Others they dragg'd out even by the Legs, and at length they were All turned out, and the Doors shut up. I say this with the more Assurance, having had the Account from an Honourable Person, lately dead, who was an Eye-witness of it. This Army, 'tis true, (which consisted of about SEVENTEEN THOUSAND MEN) afterwards brought in King Charles the Second. But that Prince soon disbanded them, being well aware, that the same Army, which brought him in, should their Minds change, might again turn him out.

This Objection, drawn from a Distrust of his Majesty, deserves another Name. 'Tis an honest, 'tis a reasonable, Jealousy of the growing Power of the Crown, which those, that went before us, always avow'd. May it not with Parity of Reason be said, That because I will not consent, that the King shall by his Proclamation raise Money without Parliament, that this is a Distrust of his Majesty? Because I will not consent to give up Magna Charta, and accept of a new Patent at Pleasure, may not this likewise be call'd a Distrust of his Majesty? But, suppose from an Opinion of the Virtue of the Troops; from an Opinion, that Men in Power will not make an ill Use of it; that those, who may be Masters, will choose to continue

nue *Servants*; that Men under the same *Circumstances* will not do the same Things; and that we should consent for ourselves, to deposit our *Liberties* in their Hands for a while; will any one say, that we have an Authority also to consent on the Behalf of those we Represent? A Sum of Money, a Jewel, or other valuable Thing, is committed to my Care; I, without the Owner's Consent, leave it in the Possession of another; although the Person with whom I left it, does not actually embezzle the Money, or detain the Jewel, yet do I break my Trust by putting it into his Power so to do.

It is self evident, that by keeping up such a Number of Forces, who may, when they are disposed, controul the Power of the Civil Magistrate, that the Strength and Security of our Constitution is at an End, and that we have no other Rule of Government left, than Will and Pleasure. The Notion I have of SLAVERY is the being subjected to the Will of another; and notwithstanding the Rod be not always on my Back, or the Dragoon in my House; yet, if it is not in my Power to prevent its being so, I am no longer free. After AUGUSTUS had established his EIGHT THOUSAND REGULAR TROOPS, the Roman Constitution was as much at an End, as it was in NERO's Time. Although the TYRANNY was not by AUGUSTUS exercis'd,

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with

with the like Severity it was by his Successors; yet, from the Time his Power became irresistible, the ROMANS were Slaves.

Another Argument us'd for this Number of Troops is,

THAT there are no Thoughts of Establishing them, but only Continuing them for a Year.

If the Notion be true, which no Gentleman in the Debate has deny'd, That the Number of disciplin'd Men now contended for, are sufficient to dictate to the greatest Number undisciplin'd; I desire to know who shall dare to bid them go Home? 'Tis said indeed the Parliament will not provide for them: Why may not they then, as others in their Circumstances have done, PROVIDE FOR THEMSELVES? Is it reasonable to think, that Men will starve with Swords in their Hands?

I am sensible, that I have too much trespassed on Gentlemen's Patience. I shall say no more, but that Bodies Political, as well as natural, have their Periods: GOVERNMENTS must die, as well as Men; Ours is grown old and crazy, and though She has surviv'd her Neighbours, yet I fear her DAY approaches.



A
SPEECH

AGAINST

Continuing the Army, &c.

As it was

Spoken the 7th Day of December, 1717.

IN THE

House of COMMONS.

By Sir T— H—, Bart.

SIR,

Cannot forbear troubling you with
a few Words upon this Subject, tho'
I can neither flatter myself with
the Hopes of convincing any One,
nor pretend to be able to offer any Thing
to your Consideration, which has not in a

better Manner been urged already. But I am truly concern'd for the *Mischiefs*, which I think we are giving Way to; and if I cannot *prevent* them, it will be a *Satisfaction* to me at least to *protest* against them.

All Gentlemen, who have spoke in this Debate, have, for their *different Opinions*, agreed in *one Thing*, to press very much the *Argument of Danger*, and the only *Question* is, on *which Side* the *Danger* lies; whether to the *Government* without a *MILITARY FORCE* to support it, or to the *Constitution and Liberties of Great-Britain* from that *MILITARY FORCE*, if it be allow'd to continue in it.

As to the *Dangers*, which threaten the *Government*, I think I am not willing to overlook them. But I hope we may be excus'd, if we cannot be *convinc'd* of *Dangers*, which no Man, that I hear, pretends to *explain* to us.

Abroad the *State and Circumstances of Europe* happen to be such, that I think it is hard to suppose a Time possible, when there shall be *less Appearance*, or *Apprehension*, of any *immediate Disturbance* to this *Kingdom*. The *three great Powers*, those which are most *considerable* in themselves, and of *nearest Concern* to us, I mean, the *Empire, France and Holland*, are so far from being at any *Enmity* with us, that they are all of them *our fast Friends and Allies*, at least we are told so, and hear very often a great deal of *boasting* upon that
Subject,

Subject, whenever the *Administration* of the Government is to be extoll'd, and the Merits of it are to be set forth to us. Upon those Occasions we hear of nothing, but the wise and useful Treaties, which have been made; the great Influence, which we have acquir'd in foreign Courts and Councils; and the solid Foundations, which are laid for our Security. But, when in Consequence of these great Things, we come to talk of reducing Forces; then I observe the Language is quite turn'd the other Way; then we are in the weakest and most insecure Condition imaginable; there is no Dependence upon any Thing, and we must even be thought disaffected to the Government, if we will not believe, that we are surrounded on all Sides with the greatest Dangers.

But, in the midst of these Contrarieties and Contradictions, I think we need not be at any Loss what our Conduct ought to be; if we will but have Regard to those plain Rules and Maxims, which have always been observ'd in the like Cases with that, which is now before us.

It would certainly be an endless Thing, for an House of Commons to enter into the SECRETS OF STATE, and to debate upon the different Views, and Interests, and Intrigues of foreign Courts; what Jealousies are among them, and what Treaties are on foot to reconcile them. If we take such Things into our Considerations, to guide us in Questions

Questions concerning our own Guards and Garrisons here at home, we shall be in a Labyrinth indeed, and must be compell'd at last to put an absolute Trust in the Government; because they only know the Truth of such Matters, and from them we must be content to receive whatsoever Account they think fit to give us of them. But the only Thing proper for us to look to is, what is plain and obvious to the Sense of all Mankind, I mean, When are the Times of present Peace? There need no Refinements of Politics to know that, and I will venture to say, that during such Times of Peace, no remote Fears, no Arguments drawn from Contingencies of what may be hereafter, have ever yet brought this Nation, into a Concession so fatal to Liberty, as the Keeping up of Standing Forces, when there is no other Employment for them, but to insult and oppress their Fellow-Subjects. I say there has hitherto been no Precedent of that kind, and the Misfortune of this Case is, there will need but One Precedent in it; One wrong Step taken in this Particular, may put an End to all your CLAIMS OF RIGHTS AND PRIVILEGES.

And on the other Hand I beg it may not be taken for granted, that, if we dismiss our Soldiers, we shall therefore leave ourselves naked, and void of all Protection against any sudden Danger, that may arise. No, Sir,

Sir, Providence has given us the best Protection, if we do not foolishly throw away the Benefit of it. Our Situation, that is our *natural Protection*; Our Fleet is our Protection; and, if we could ever be so happy, as to see it rightly pursued, A GOOD AGREEMENT BETWIXT THE KING AND PEOPLE, uniting and acting together in ONE NATIONAL INTEREST, would be such a Protection, as none of our Enemies would ever hope to break through.

It is a very melancholy Thing to me to hear any other Notions of Government advanced here; and that his Majesty, either from his private or his General Council, should ever upon this Subject have any Thing inculcated to him, but this great Truth, That the TRUE AND ONLY SUPPORT OF AN ENGLISH PRINCE DOES, AND OUGHT TO CONSIST IN THE AFFECTIONS OF HIS PEOPLE. It is That should strengthen his Hands; it is That should give Him Credit and Authority in the Eyes of other Nations; and to think of doing of it by keeping up a Number of Land Forces here at Home, such a Number, as can have any Awe or Influence over the great Powers on the Continent, is, I think, one of the wildest Imaginations, that ever entered into the Heart of Man. The only Strength of this Nation must always

consist in the *Riches* of it; *Riches* must be the *Fruits* of *Publick Liberty*; and the *People* can neither acquire *Riches*, nor the *King* have the *Use* of them, but by a *Government* founded in their *Inclinations* and *Affections*.

If this be true, then of Consequence it follows, That whoever advises his Majesty to aim at any additional *Security* to himself from a *Standing Army*, instead of increasing his *Strength*, does really diminish it, and undermine his true *Support*, by robbing him of the *Hearts* of his *Subjects*. For this I take for granted, that as there are but two *Ways* of *Governing*, the one by *Force*, and the other by the *Affections* of the *People* governed, it is impossible for any *Prince* to have them both. He must choose which of the two he will stick to; for he can have but one. If he is *Master* of their *Affections*, he stands in no need of *Force*; and if he will make *Use* of *Force*, it is in vain for him to expect their *Affections*. For it is not in *Nature*, and it can never be brought to pass, that *Men* can love a *Government*, under which they are loaded with heavy *Taxes*, and pay a considerable *Part* of their *Estates* to maintain an *Army*, which insults them in the Possession of the *Rest*, and can turn them out of the *Whole*, when ever they please.

With

With Submission therefore the *Argument* is taken by the *wrong End*, when it is said, There are great *Animosities* in the Kingdom, the People are *disaffected*, and upon *that Account* there is a *Necessity* of keeping up an *Army*. It concludes much *righter* the other *Way*; that is, *Dismiss your Army*, and give no other *Cause of Suspicion*, that any *Part* of the *Constitution* is to be *invaded*, and the People will be *well-affected*. Upon any other foot, than this, *What MINISTER* will ever care, whether he does *right* or *wrong*? it is not his *Concern*, whether the People are *easy* or *uneasy*; his *Army* is his *Dependence*: Nay, and the more, by his *wicked Councils*, he *exasperates* and *inrages* the People, the *stronger* he makes his *Pretence* for maintaining and increasing *that Army*, which *supports* him.

What I have said, I confess, goes upon a *Supposition*, that the *Numbers* contain'd in the *Estimate*, and in the *Question* before you, do make an *Army*, *formidable* enough, and *able* to *enslave this Nation*; of which indeed there remains no *Doubt* with me. In the *Manner* those *Forces* are *constituted*, I think, a *Prince*, who would *wish* to be *arbitrary*, could *desire no more*; and if he had all the *Power* in his *Hands*, I think, for his *own sake*, he would *keep no more*.

Of *what Nature* the *Reductions* have been, other *Gentlemen* have so fully *explain'd*, and I believe it is so *generally understood*, that it

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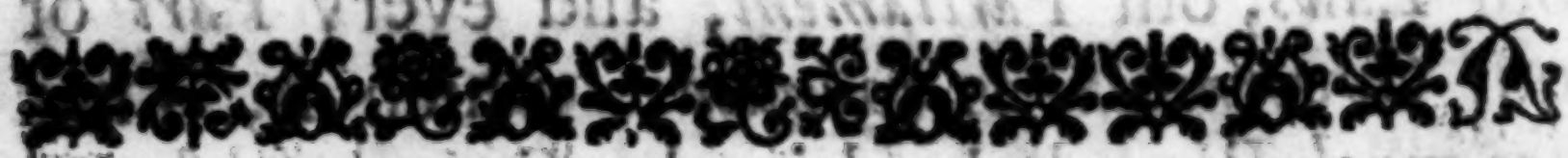
will

will be needless for me to dwell upon it. But the *Short* of the *Case* is this, That, out of THIRTY TWO THOUSAND MEN, thirteen *Regiments* only have been *disbanded*, which do not amount to more than five or six *Thousand*, besides a few *Invalids*, which were taken from the *Establishment* of the *Army*, and put upon the *Establishment* of the *Hospital*. So that there are the *Corps* now *subsisting* of more than TWENTY FIVE THOUSAND MEN, which *Corps* may be filled up to their *entire Complement*, whenever the *Government* pleases, and that even without any *Noise*, or *Notice* taken. For the *Case* is very *different* in that respect, where the *Regiments* are few, and those kept *compleat*. There, if the *Numbers* allowed by *Act of Parliament* are exceeded, it must be by raising new *Regiments*, which is easily seen and known. But where the *Corps* are kept up with only a few *Men* in them, and some *Recruits* will always be necessary for them, there, if the *Government* is willing to be at the *Charge*, they may keep the *Numbers* up to what they please, and it is impossible to know when the *Parliamentary Standard* is exceeded, and when not. Thus therefore stands our *Account*. In the first *Place*, the *Publick* is to pay EIGHTEEN THOUSAND MEN; in the next *Place* the *Number* of *effective Men* is to be SIXTEEN THOUSAND THREE HUNDRED

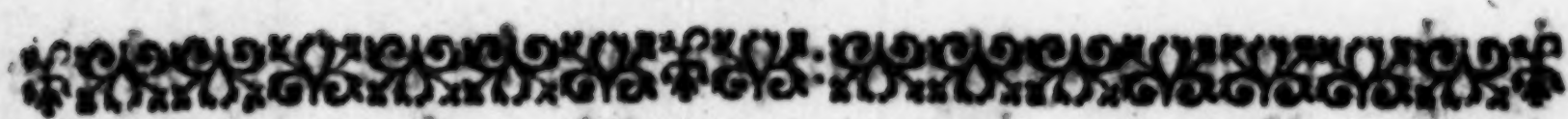
DRED FORTY SEVEN; and if *those* are not *sufficient* to exercise *Dominion* over us; yet, in the *manner* they are kept together, they are *equivalent* to **TWENTY FIVE THOUSAND MEN;** the *Charge* is *inconsiderably less*, and the *Terror*, which is the *main Thing*, is not at all *abated*.

For the taking this *dangerous Step*, the only *Justification* I hear *Gentlemen* offer for themselves, the only *Shelter* they fly to, is the *great Confidence*, which is to be reposed in *his Majesty's just and gracious Intentions*: Of those I will *entertain no Doubt*; I believe *his Majesty* is too good to be *suspected* of any *arbitrary Designs*. But yet there is a *general Suspicion*, which I will never be *ashamed* or *afraid* to own; because it is a *Suspicion interwoven* in our *Constitution*; it is a *Suspicion*, upon which our *Laws*, our *Parliament*, and every *Part* of our *Government* is *founded*; which is, That too much *Power* lodged in the *Crown*, (*abstracting from the Person, that wears it*) will at some *Time* or other be *abused* in the *Exercise* of it, and can never long *consist* with the *natural Rights and Liberties* of *Mankind*. And therefore *whatever Opinions* we have of *his Majesty's Goodness*, and how much *soever* he *deserves* them, We should still consider, that in *this Place* we are under a *distinct Duty* to our *Country*, and by *that Duty* we should be as *incapable* of giving up such an *unwarrantable*

valuable Trust, as his Majesty, I am perswa-
ded, would be incapable of abusing it, if he
had it in his Hands. Those we represent will
expect, and they ought to expect, from us,
that they should not only continue to enjoy
what belongs to them, as ENGLISHMEN;
but that they should hold it still by the same
Tenure. Their Estates, their Lives, and their
Liberties they have hitherto possess'd, as their
Rights, and it would be a very great and a
sad Change, and such as shall never have my
Consent along with it, to make them only
Tenants at Will for them.



THE



T H E
R E A S O N S

Given by the *L O R D S*, who
Protested against the *B I L L* for
punishing Mutiny and Desertion.

Die Jovis, 20^o, Februarii, 1717.

*The Question was put, That it be an In-
struction to the Committee of the whole
House, to whom the Bill, Entitled, An Act
for punishing Mutiny and Desertion,
and for the better Payment of the Army
and their Quarters, stands committed ;
That they do provide, that no Punishment
shall be inflicted at any Court Martial, which
shall extend to Life or Limb.*

It was Resolved in the Negative.

Dissentient.

I. *B*ecause the Exercise of Martial Law
in time of Peace, with such Power,
as is given by this Bill to inflict Punishments
extending to Life and Limb, was not in the
first Year of this Reign, nor hath in any
former Reign been allowed within this
Kingdom, by Consent of Parliament ; but
hath

hath, upon any Attempts made to introduce such a Power, been oppos'd and condemn'd by Parliament, as repugnant to *Magna Charta*, and inconsistent with the fundamental Rights and Liberties of a free People.

II. Because after the Peace of *Ryswick* and that of *Utrecht*, in the several Reigns of King *William* and Queen *Anne* of Glorious and Ever Blessed Memories, no such Power was given to any Court Martial; yet it is well known, that the Forces then continued on Foot were kept in exact Discipline and Order.

III. Because it is not ascertain'd, either by this Bill, or by any other known Law or Rule, what Words or Facts amount to Mutiny or Desertion, or to an Exciting, Causing, or Joining in Mutiny; and consequently the Judges of a Court Martial have it in their Power, to declare what Words or Facts they think fit to be Mutiny or Desertion, and to take away the Life of any Officer or Soldier by such an Arbitrary Decision.

IV. Because should Death be thought the proper Punishment in time of Peace for Mutiny or Desertion, or even for the least Disobedience to any lawful Command; yet, as we conceive, the Nature of such Offences ought first to have been ascertain'd by this Bill; and the said Offences being declared Capital, the Tryal thereof ought to have been
been

been left to the ordinary Course of Law; in Consequence whereof the Officers and Soldiers would upon such Tryals have been entitl'd to all those valuable Privileges, which are the Birth-right of every Briton. Nor doth it appear to us, That any Inconvenience could thereby have arisen to the Publick in time of Peace ; at least not any such, as can justify our Depriving the Soldiery of those Legal Rights, which belong to the meanest of their Fellow-Subjects, and even to the vilest of Malefactors.

Then a Motion being made, and the Question being put, That it be an Instruction to the said Committee of the whole House, That they do make an effectual Provision to secure the Obedience both of the Officers and Soldiers, to be continued by this Bill, to the Civil Magistrate according to Law.

It was Resolved in the Negative.

Dissentient.

I. Because no Provision whatsoever is made by this Bill for Securing the Obedience of the Military to the Civil Power, on which the Preservation of our Constitution depends.

II. Because

II. Because we conceive that a great Number of armed Men governed by Martial Law, as they have it in their Power, so are naturally inclined not only to disobey, but to insult the Authority of the Civil Magistrate; and we are confirmed in this Opinion, as well by the Experience of what hath happened here at Home, as by the Histories of all Ages and Nations; from which it appears, that wherever an effectual Provision hath not been made to secure the Obedience of the Soldiers to the Laws of their Country, the Military hath constantly subverted and swallowed up the Civil Power.

Devonshire, W. Ebor. Buckingham, Anglesey, Jo. Winton. North and Grey, Scarsdale, Strassford, Poulet, Guilford, Delorain, Abingdon, Dartmouth, Belhaven, Jo. London, Harcourt, Willoughby Br. Townsbend, Boyle, Bristol, Castleton, Foley, Tadcaster, Gower, Rutland, Montjoy, Bathurst, Lumley, Trevor, Bingley, Bute, P. Hereford, Berkeley Str. Northampton, Ilay, Weston, Mansel, Fr. Roffen. Oxford, Fr. Cestriens, Geo. Bristol, Compton, Masham, Greenwich.



Die Lunæ 24^o, Februarii, 1717.

*The Question being put, Whether this
Bill shall pass?*

It was Resolved in the Affirmative.

Dissentient.

I. **B**Ecause the Number of Sixteen Thousand Three Hundred Forty Seven Men is declar'd necessary by this Bill. But it is not therein declar'd, nor are we able, any Way, to satisfy Ourselves, from whence that Necessity should arise: The Kingdom being now (God be prais'd) in full Peace, without any just Apprehension, either of Insurrections at Home, or Invasions from Abroad.

II. Because so numerous a Force is near double to what hath ever been allow'd, within this Kingdom, by Authority of Parliament in Times of publick Tranquillity; and being, as we conceive, no Ways necessary to support, may (we fear) endanger

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ger our Constitution ; which hath never yet been entirely subverted, but by a Standing Army.

III. Because the Charge of keeping up so great a Force, ought not unnecessarily to be laid on the Nation, already over-burthen'd with heavy Debts ; and this Charge we conceive to be still more unnecessarily increas'd by the great Number of Officers, now kept on the Establishment, in Time of Peace ; a Number far greater (in Proportion to that of the Soldiery commanded by them) than hath ever yet been thought requisite in times of actual War.

IV. Because such a Number of Soldiers, dispers'd in Quarters throughout the Kingdom, may occasion great Hardships, and become very grievous to the People, and thereby cause, or increase, their Disaffection, and will probably ruin many of his Majesty's good Subjects, on whom they shall be quartered, and who have been already, by that Means, greatly impoverish'd.

V. Because such a Standing Force, dangerous in it self to a Free People in Time of Peace, is, in our Opinion, render'd yet more dangerous by their being made subject to Martial Law ; a Law unknown to our Constitution, destructive of our Liberties,

ties, not endur'd by our Ancestors, and never mention'd in any of our Statutes, but in order to condemn it.

VI. Because the Officers and Soldiers themselves, thus subjected to Martial Law, are thereby, upon their Tryals, divested of all those Rights and Privileges, which render the People of this Realm the Envy of other Nations, and become lyable to such Hardships and Punishments, as the Lenity and Mercy of our known Laws utterly disallow; and we cannot but think those Persons best prepar'd, and most easily tempted, to strip others of their Rights, who have already lost their own.

VII. Because a much larger Jurisdiction is given to Courts-Martial by this Bill, than to us seems necessary for maintaining Discipline in the Army; such Jurisdiction extending not only to Mutiny, Desertion, Breach of Duty, and Disobedience to military Commands, but also to all Immoralities, and every Instance of Misbehaviour, which may be committed by any Officer, or Soldier towards any of his Fellow-Subjects: By which Means, the Law of the Land, in Cases proper to be judg'd by that alone, may, by the summary Methods of Proceedings in Courts-Martial, be obstructed, or

superfeded; and many grievous Offences may remain unpunish'd.

VIII. Because the Officers constituting a Court Martial do at once supply the Place of Judges and Jurymen, and ought therefore, as we conceive, to be sworn upon their Trying any Offence whatsoever; and yet it is provided by this Bill, that such Officers shall be sworn upon their Trying such Offences only, as are punishable by Death; which Provision we apprehend to be defective, and unwarranted by any Precedent: There being no Instance, within our Knowledge, wherein the Judges of any Court, having Connusance of Capital and Lesser Crimes, are under the Obligation of an Oath, in respect of the one, and not of the other.

IX. Because the Articles of War, thought necessary to secure the Discipline of the Army in Cases unprovided for by this Bill, ought, in our Opinion, to have been inserted therein, in like Manner as the Articles and Orders for Regulating and Governing the Navy were Enacted in the Thirteenth Year of King *Charles* the Second; to the End that due Consideration might have been had by Parliament, of the Duty enjoyn'd by each Article to the Soldiers, and of the Measure of their Punishment. Whereas

the

the Sanction of Parliament is now given by this Bill to what they have had no Opportunity to consider.

X. Because the Clause in the Bill, enabling his Majesty to establish Articles of War, and erect Courts Martial, with Power to try and determine any Offences, to be specify'd in such Articles, and to inflict Punishments for the same, within this Kingdom, in time of Peace, doth, as we conceive, in all those Instances, vest a sole Legislative Power in the Crown; which Power, how safely soever it may be lodg'd with his present Majesty, and how tenderly soever it may be exercis'd by him, may yet prove of dangerous Consequence, should it be drawn into Precedent in future Reigns.

XI. Because the Clause in the Bill alledg'd to be made, for enabling honest Creditors to recover their just Debts from Soldiers, seems to us, rather to give a Protection to the Soldiers, than any real Advantage to his Creditor, or other Person, having just Cause of Action against him. It protects the Person of a Soldier from Executions, as well as Mesne Process, for any Debt under Ten Pounds; and it protects the Estate and Effects, as well as the Person, of every Soldier, from all other Suits, but for Debt, where the Cause of
Action

Action doth not amount to the like Sum,
 And in other Cases, where the Cause of
 Action exceeds that value, Plaintiffs are in
 many Instances put under such unreason-
 able Difficulties, as we conceive, before
 they can be allow'd even to commence
 their Suit, that their bare Compliance
 therewith may become more grievous to
 them, than the Loss of their Debt, or a
 quiet Submission to the Wrong sustained.
 By which Means, his Majesty's good Sub-
 jects may be highly injur'd in their Pro-
 pertie, and insulted in their Persons, by
 the Soldiery, and yet be deprived of the
 legal Remedies appointed for the Redress of
 such Grievances.

*W. Ebor. Northampton, Strafford, Scarsdale,
 Fr. Cestriens. Bristol, Gower, Greenwich,
 Compton, Poulet, Boyle, Tadcaster, Bute,
 Guilford, Litchfield, Harcourt, North
 and Grey, Foley, Ilay, Mansel, Dart-
 mouth, Bathurst, P. Hereford, Fr. Roffen.
 Weston, Trevor, Oxford, Abingdon.*

